

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 ACDA-12 TRSE-00 OMB-01 IO-13 /085 W
-----129174 121648Z /44

R 121410Z JAN 78
FM USMISSION USBERLIN
TO SECSTATE WASHDC 6012
AMEMBASSY BONN
INFO AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L USBERLIN 0082

E.O.11652: GDS
TAGS: PGOV, AKB, BQG
SUBJECT: 29 NOVEMBER SOVIET COMPLAINT AGAINST FRG ACTIVITIES IN
BERLIN: DRAFT RESPONSE

REF: 77 USBERLIN 3034

SUMMARY: BERLIN MISSIONS HAVE AGREED TO DRAFT OF RESPONSE TO
29 NOVEMBER SOVIET PROTEST ON FEDERAL ACTIVITIES IN BERLIN.
MISSIONS ALSO AGREED TO ADDITIONAL CONTINGENCY REMARKS FOR USE
BY CHAIRMAN POLAD WHEN DELIVERING RESPONSE. END SUMMARY.

1. BERLIN MISSIONS HAVE AGREED TO FOLLOWING TEXT OF RESPONSE
OT 29 NOVEMBER 1977 SOVIET PROTEST (REFTEL) TO CHAIRMAN POLAD
ON FEDERAL ACTIVITIES IN BERLIN. BRITISH, AS CURRENT CHAIRMAN,
WILL CONVEY TEXT TO BONN. THAT TEXT MAY DIFFER SLIGHTLY WITH
FOLLOWING WHICH IS USBER TRANSLATION OF FRENCH TEXT AGREED UPON
BY BERLIN MISSIONS:

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ON 29 NOVEMBER YOU MADE A DECLARATION TO THE CHAIRMAN POLITICAL
ADVISOR WITH RESPECT TO THE PROVISIONS OF THE QUADRIPARTITE
AGREEMENT, UNDER WHOSE TERMS THE WESTERN SECTORS OF BERLIN CONTINUE
NOT TO BE A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND
NOT TO BE GOVERNED BY IT. THE THREE POWERS HAVE MORE THAN ONCE
PROCLAIMED THEIR ADHERENCE TO THIS PROVISION WHICH YOU HAVE
JUSTLY RECALLED.

THE THREE POWERS, AS YOU ARE AWARE, EQUALLY VALUE (SONT EGALEMENT ATTACHEES) THE OTHER PART OF THE PROVISION OF THE QUADRIpartite AGREEMENT TO WHICH YOU REFERRED: NAMELY, THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FEDERAL REPUBLIC OF GERMANY WILL BE MAINTAINED AND DEVELOPED.

IN THIS REGARD, YOU CITED A CERTAIN NUMBER OF ACTIVITIES WHICH TOOK PLACE IN THE WESTERN SECTORS OF BERLIN AND DESCRIBED THEM AS THE MANIFESTATION OF CLAIMS (PRETENTIONS) OF THE FEDERAL REPUBLIC OF GERMANY OVER (SUR) THE WESTERN SECTORS OF BERLIN IN VIOLATION (PARTANT ATTEINTE) OF THE PERTINENT PROVISIONS OF THE QUADRIpartite AGREEMENT.

I HAVE RECEIVED INSTRUCTIONS TO DRAW YOUR ATTENTION TO THE FACT THAT NONE OF THE ACTIVITIES WHICH YOU HAVE MENTIONED TOUCH UPON (AFFECTE) POINT 2 OF ANNEX II OF THE QUADRIpartite AGREEMENT - SUCH AS IT IS CLEARLY EXPLAINED IN POINTS A AND B OF THE LETTER OF THE THREE AMBASSADORS TO THE FEDERAL CHANCELLOR, (A LETTER) WHICH THE AMBASSADOR OF THE USSR TOOK NOTE OF ON 3 SEPTEMBER 1971. CONSEQUENTLY, NONE OF THE ACTS (COMPLAINED OF) HAVE BEEN PERFORMED IN THE EXERCISE OF DIRECT STATE AUTHORITY (BY THE FRG) OVER THE WESTERN SECTORS OF BERLIN, END TEXT

2. BRITISH MISSION HAD ORIGINALLY PROPOSED THAT FOLLOWING TEXT BE INCORPORATED IN DRAFT REPLY. HOWEVER, BERLIN MISSIONS FINALLY AGREED TO RECOMMEND THAT CHAIRMAN POLAD SHOULD BE ARMED WITH BRITISH TEXT FOR USE ORALLY WITH SOVIETS AT TIME OF DELIVERY OF RESPONSE SHOULD SOVIET IMMEDIATE REACTION WARRANT IT. CONFIDENTIAL

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QUOTE: NO ACTIONS OF THE GOVERNMENT OF THE FRG HAVE BEEN CARRIED OUT IN THE EXERCISE OF DIRECT STATE AUTHORITY OVER THE WESTERN SECTORS OF BERLIN. ACTIVITIES OF PARLIAMENTS AND GOVERNMENTS OF THE FRG LAENDER WERE NOT SPECIFICALLY COVERED BY THE QA, AS YOU YOURSELF POINTED OUT, NOR DO THEY OFFEND AGAINST ANY OF ITS GENERAL PROVISIONS. THESE GENERAL PROVISIONS DO NOT MENTION QUOTE THE TASK OF MAINTAINING THE NORMAL SITUATION IN THE SAID AREA UNQUOTE BUT STATE THAT QUOTE THE SITUATION WHICH HAS DEVELOPED IN THE AREA.....SHALL NOT BE CHANGED UNILATERALLY UNQUOTE. NOTHING DONE BY THE WESTERN SIDE HAS PURPORTED TO CHANGE THE EXISTING SITUATION UNQUOTE. END TEXT GEORGE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT REACTIONS, DIPLOMATIC PROTESTS, ALLEGATIONS, CENTRAL GOVERNMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 12 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USBERL00082
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780018-0796
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780169/aaaacfxs.tel
Line Count: 106
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a835fce3-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 USBERLIN 3034
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 19 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3782310
Secure: OPEN
Status: NATIVE
Subject: 29 NOVEMBER SOVIET COMPLAINT AGAINST FRG ACTIVITIES IN BERLIN: DRAFT RESPONSE
TAGS: PGOV, UR, AKB, BQG
To: STATE BONN
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/a835fce3-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014